

REMARKS/ARGUMENTS

Status

Claims 25 through 32 have been cancelled by the present amendment and claims 63 through 70 have been added. Claims 1-24, 33-48 and 49-60 will remain for further consideration.

More Clearly Defined

The claims in this application have been revised to voluntarily further clarify Applicant's unique invention. Applicant maintains that the claims as filed were patentable over the art of record. However, to expedite issuance of this application, reconsideration of the claims in light of the amendments and for the following reasons is respectfully requested.

35 U.S.C. § 102

The Examiner rejected claims 1-48 and 61-62 under 35 U.S.C. § 102 as being anticipated by Bracho. This rejection is respectfully traversed.

The current invention is to an improved method of communicating and broadcasting information between components of a communication system such as a network switch having line modules, control modules, and switching modules. The use of publish and subscribe communication system between these components greatly improves scalability of the system and obviates the need for one component to know the name or status of all the other components in the system. Components register to publish information to the

system or subscribe to receive relevant information from the system. A central control module synchronizes information responsibility distributed to the various components.

Independent claims 1, 9, 17, 33, and 41 as amended recite a network switch having a "first communication network" for "communicating data" across a switch and various trunk lines. Claim 1 also recites a second communication network which also connects the switch and line modules, but outside of the first network. It is in this second communication network that the publication and subscription are taking place to carry out all of the switching and control functions of the switch and line modules by using namespace(s) having the features recited.

By contrast, the patent to Bracho et al. shows a computer network for connecting legacy machines across a computer network. The publication and subscription of the Bracho patent take place on the data network (i.e., the "first communication network") and the data is going across this same network, as opposed to the presently claimed invention where the publication and subscription information is communicated across a "second communication network" in order to control the switches and line modules that control the "first communication network" carrying data. In the Bracho patent, there is no second communication network connecting a network switch, and it specifically does not have a switch within the network switch for connecting trunk lines across respective line modules. There is no underlying second network which connects the components outside of the first communication network. The Bracho patent lacks a publish/subscribe system on a second network. The Bracho patent is a "switch" on a computer "network," but is certainly not a network switch for communicating data across trunk lines as recited in the claims and defined in the specification. And because Bracho shows only a computer network, there is no teaching of "line modules" or of line modules having "control coordinators," especially

since there are no communication trunk lines requiring the line modules. Bracho would only have the simplest Ethernet switches or computer switches directing information by simple IP protocol, which would not require line modules. There is no indication that the switches of Bracho intercommunicate and keep track of the status of other components on the system to ensure proper routing of information, and thus would have no need of a second communication network or a publish/subscribe system on a second communication network. The Bracho et al. patent merely shows the use of publishing information by one legacy system using a "universal" language so that a local hub can receive sales information from a Point of Sale system by acting as an intermediate database translation device from the legacy ("proprietary") system to a universally understood data block. The published data is its own end, such as a sales record, and is not used to control the network other than perhaps routing of the data itself to the proper recipient using IP protocol (i.e., "content-based" routing). For at least these reasons, claim 1 should be allowed over the prior art.

Claim 63 also recites a second communication network, but more generally recites a network having a switch and a "plurality of communication modules" instead of line modules. However, since as discussed above, Bracho et al. does not teach a second communication network, claim 63 should be allowed over the art of record as well. And further, claim 63 recites that a namespace received over the second communication network includes the address of at least one component of at least one of the plurality of communication modules. Since Bracho et al. is merely concerned with database translation, Bracho et al. does not teach or disclose a namespace including the address of a communication module.

The remaining claims depend from at least one of the above claims and should therefore be allowed for at least the same reasons. It should be noted however, that the dependent claims each have their own limitations which further distinguish the claims from the prior art.

Summary

Applicants have made a diligent and bona fide effort to answer each and every ground for rejection or objection to the specification including the claims and to place the application in condition for final disposition. Reconsideration and further examination is respectfully requested, and for the foregoing reasons, Applicant respectfully submits that this application is in condition to be passed to issue and such action is earnestly solicited. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Robert N. Blackmon, Applicants' Attorney at 703-684-5633 to satisfactorily conclude the prosecution of this application.

Dated: January 31, 2006

Respectfully submitted,



Robert N. Blackmon
Reg. No. 39494
Attorney/Agent for Applicant(s)

Merek, Blackmon & Voorhees, LLC
673 S. Washington St.
Alexandria, Virginia 22314
Tel. 703-684-5633
Fax. 703-684-5637
E-mail: RNB@ BlackmonLaw.com